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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) NO. 3:21-MJ-72026 MAG
17 Plaintiff,)
18 v.) STIPULATION TO CONTINUE PRELIMINARY
19 WILMER ARTEAGA,) HEARING FROM FEBRUARY 9, 2022 TO
20 Defendant.) MARCH 11, 2022, AND TO EXCLUDE TIME
21) FROM FEBRUARY 9, 2022 THROUGH MARCH
22) 11, 2022, AND [PROPOSED] ORDER
23)
24)
25)
26)
27)
28)

19 Counsel for the United States and counsel for defendant Wilmer Arteaga hereby stipulate as
20 follows:

21 1. It is hereby stipulated that the preliminary hearing/arraignment set for February 9, 2022 be
22 continued to March 11, 2022. The reason for the request is to permit the defense additional time to
23 review discovery and conduct an investigation and for consideration of a resolution in this matter.
24
25 2. The parties further stipulate that the time for preliminary hearing under Fed. R. Crim. P.
26 5.1(c) be excluded pursuant to Fed. R. Crim. P. 5.1(d) and that time be excluded under the Speedy Trial
27 Act from February 9, 2022 through March 11, 2022. The parties stipulate and agree that excluding the
28 time for preliminary hearing and under the Speedy Trial Act will allow for the effective preparation of

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1 counsel and will further the public interest in the prompt disposition of this matter by allowing the
2 parties to potentially resolve the matter at an early stage of the proceedings. *See* 18 U.S.C.
3 § 3161(h)(7)(B)(iv); Fed. R. Crim. P. 5.1(d). The parties further stipulate and agree that the ends of
4 justice served by excluding the time from February 9, 2022 to March 11, 2022 from computation under
5 the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18
6 U.S.C. § 3161(h)(7)(A), (B)(iv).

7 The undersigned Assistant United States Attorney certifies that he has obtained approval from
8 counsel for the defendant to file this stipulation and proposed order.

9
10 IT IS SO STIPULATED.

11
12 DATED: February 1, 2022

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14

15 /s/
16 Lauren M. Harding
17 Assistant United States Attorney

18 DATED: February 1, 2022

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20

21 /s/
22 Gabriela Bischof
23 Counsel for Defendant Wilmer Arteaga

24
25
26 [PROPOSED] ORDER

27 The status on preliminary hearing/arraignment set for February 9, 2022 is continued to March 11,
28 2022.

29 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
30 Court finds that failing to exclude the time from February 9, 2022 through March 11, 2022 would
31 unreasonably deny defense counsel and the defendant the reasonable time necessary for effective
32 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The
33 Court further finds that the ends of justice served by excluding the time from February 9, 2022 to March
34 11, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the
35 defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED
36 that the time from February 9, 2022 through March 11, 2022 shall be excluded from computation under
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1 the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

2 IT IS SO ORDERED.

3
4 DATED: _____

5 HON. LAUREL BEELER
United States District Judge